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January 11, 2023

By ECF and email

Hon. Loretta A. Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY

Re: United States v. Abiola Olajumoke
19 Cr 291 (LAP)

Dear Judge Preska:

We write in response to the Notice of Appearance just filed by Tony Mirivs, Esq. in this case and ask the Court to relive us as counsel.

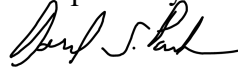
There has been a substantial and irreparable breakdown between Mr. Olajumoke and his attorneys, Mr. Bertan and me. Mr. Olajumoke has expressed his dissatisfaction with us, his lack of trust in court-appointed counsel, and was not communicating with us in a responsive manner. Yesterday, we learned from Mr. Mirvis that he had been contacted by Mr. Olajumoke who was considering retaining him. Just an hour or so ago, we learned from Mr. Mirvis that he would be filing a Notice of Appearance to take over this case and that he would also be seeking an adjournment.

I also write to advise the Court that I have a personal relationship with one of the prosecutor's parents with whom I am friends. I do not believe my friendship with the parents of a prosecutor presents a conflict or in any way would impede my ability to provide effective representation to the defendant, but nonetheless, I believe the Court and all parties should be aware of this relationship.

The Court has set a pre-trial conference for January 17, 2023 at 2:30 p.m. We join in the defendant's request for new counsel and we will ask the Court to relieve at the upcoming conference. If the Court would prefer to address any issues prior to Tuesday, we can be available tomorrow (any time other than noon).

Thank you for your consideration in this matter.


Respectfully submitted,



Daniel S. Parker
David Bertan

Cc: AUSA D. Wolf
AUSA R. Dell
T. Mirvis, Esq.
A. Olajumoke
(by ECF and email)

All counsel, as well as Mr. Olajumoke, shall appear for a conference on January 12, 2023 at 2:00 PM in courtroom 12A.


1/11/2023